## UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

David A. Rourke,
Plaintiff

v.

C.A. No. 09-10S

State of Rhode Island, Defendant

## ORDER

The Report and Recommendation of United States Magistrate
Judge Lincoln D. Almond filed on April 7, 2009 in the abovecaptioned matter is accepted pursuant to Title 28 United States
Code § 636(b)(1). No objection having been filed to the Report
and Recommendation, Plaintiff's Motion for Leave to Appeal in
forma pauperis is DENIED.

By Order,

Deputy Clerk

ENTER:

William E. Smith

United States District Judge

Date: V/2

4/24/09